

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Appln. No. 08/860,377

Response to Election/Restriction

The Examiner states that claim 14 is not drawn to the elected method of treating urinary disease since canceled claims 12 and 13 were drawn to the elected method of treating urinary diseases. Accordingly, claim 14 has been withdrawn from consideration as being directed to a non-elected invention.

Furthermore, the Examiner notes that the instant application has been examined with regard to the elected compound wherein

A represents an aryl group, a cycloalkyl group or a cycloalkenyl group,

n is 2 and

X, R, 1, m are as set forth in claim 1, exclusively.

In view thereof, the Examiner suggests that all additional heterocyclic compounds, wherein A represent heteroaryl and a 5- to 7-membered heterocyclic pertain to nonelected subject matter, be deleted.

In response to the Examiner's position that Claim 14 recites non-elected subject matter, Claim 14 has been cancelled. Applicants have also amended Claims 1 and 9 to cancel embodiments pertaining to additional heterocyclic compounds, wherein A represent heteroaryl and a 5- to 7-membered heterocyclic compounds. Claims 3-6 and 8 have been amended to recite all of the limitations of Claim 1, thereby restricting the claims to the elected subject matter.

Entry of the amendments is respectfully requested.

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Response to Rejection of Claims 1 and 9 Under 35 U.S.C. § 112, second paragraph:

Claims 1 and 9 are rejected under 35 U.S.C. § 112, second paragraph, for indefiniteness.

The Examiner states that claims 1 and 9 recite the broad recitation aromatic hydrocarbon and the claim also recites aryl group having 6 to 14 carbon atoms which is the narrower statement of the range/limitation.

Additionally, the Examiner notes that the term "cycloalkenyl" in claims 1 and 9 is misspelled.

Applicants submit that the Examiner's rejection of Claims 1 and 9 is rendered moot in view of the amendment of the claims to recite "aryl".

Claims 1 and 9 have been amended to correct the typographical errors.

In view of the foregoing amendments, Applicants respectfully submit that the rejection to Claims 1 and 9 is obviated, and request withdrawal of rejection.

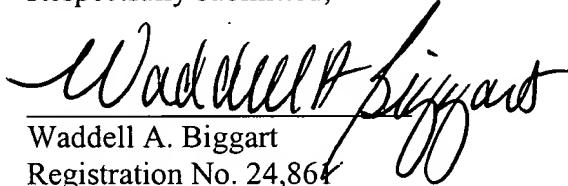
CONCLUSION

In view of the amendment of the claims to recite the elected subject matter, reconsideration and allowance of this application are now believed to be in order, and such action is hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, he is kindly requested to contact the undersigned at the telephone number listed below.

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Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,



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